

Remarks

The Office Action dated December 20, 2004 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1-13 and 15-18 are pending in this application. Claim 14 has been cancelled. Claims 1-18 are subject to restriction requirement.

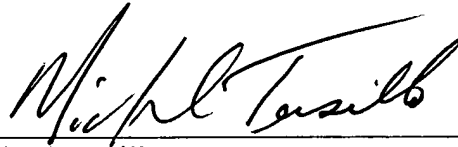
In response to the Office Action dated December 20, 2004, Applicants, with traverse, elect for prosecution in this application all claims that belong to Group I, i.e., Claims 1-12.

The requirement for election is traversed because the inventions set out by the claims in Groups I and II clearly are related. Applicants submit that a thorough search and examination of either Group would be relevant to the examination of the other Group and would not be a serious burden on the Examiner. Additionally, requirements for election are not mandatory under 35 U.S.C.

Further, Applicants submit that that Office Action has not shown that the Claims of Group I are patentably distinct from the Claims of Group II. Particularly, the Office Action has not shown that (1) the combination as claimed does not require the particulars of the subcombination, and (2) that the subcombination has utility by itself or in other combinations as required by MPEP § 806.05(c). Particularly, the Office Action suggests that "the combination as claimed does not require the particulars of the subcombination as claimed. Applicant respectfully submits that amended Claim 13 (combination) includes all the particulars of Claim 1 (subcombination). Specifically, both Claims 1 and 13 recite an ice maker that includes an ice bucket, the ice bucket "comprising: a bottom wall; opposing side walls extending from said bottom wall; a front wall; a back wall, said bottom wall, said side walls, said front wall, and said back wall defining an ice collection cavity; a plurality of ribs extending from said bottom wall

into said ice collection cavity; and a rotatable auger extending between said front and back walls". Therefore, Applicants submit that the combination (Group II claims) requires the particulars of the subcombination (Group I claims) and that the claims of Group I are not patentably distinct from the claims of Group II. Accordingly, Applicants submit that the restriction requirement is improper and reconsideration of the election requirement is requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael Tersillo", written over a horizontal line.

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